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Calendar No. 754

101ST CONGRESS *2d Session*	SENATE	REPORT 101-408

HOTEL AND MOTEL FIRE SAFETY ACT OF 1990

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

H.R. 94

AUGUST 1 (legislative day, JULY 10), 1990.—Ordered to be printed

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101ST CONGRESS
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101-408

HOTEL AND MOTEL FIRE SAFETY ACT OF 1990

AUGUST 1 (legislative day, JULY 10), 1990.—Ordered to be printed

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany H.R. 94]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (H.R. 94) to amend the Federal Fire Prevention and Control Act of 1974 to allow for the development and issuance of guidelines concerning the use and installation of automatic sprinkler systems and smoke detectors in places of public accommodation affecting commerce, and for other purposes, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill as amended do pass.

PURPOSE OF BILL

The purpose of the bill is to promote fire safety in hotels, motels, and all places of public accommodation affecting commerce. The bill is designed to achieve this goal by encouraging the installation of fire sprinklers and smoke detectors in places of public accommodation through the issuance of certain safety guidelines for the use of public accommodations by Federal agencies and employees.

BACKGROUND

H.R. 94 is similar to a bill introduced in the 100th Congress, H.R. 3704, the Hotel and Motel Fire Safety Act of 1988. The 1988 bill was introduced in response to, and following a series of hearings on, the Dupont Plaza Hotel Fire in San Juan, PR on December 31, 1986. That fire resulted in 97 deaths and hundreds of injuries. Testimony before the House indicated that the fire would not have

posed such a threat to life if smoke detectors and a sprinkler system had been in place.

The fire safety community has stated that both fire sprinklers and smoke detectors are needed to provide the most effective fire safety in places of public accommodation. Most public accommodations have installed smoke detectors, but many do not have sprinkler systems. A study by the American Hotel-Motel Association, released in June of 1988, showed that 55 percent of the nation's guest rooms are without sprinkler systems.[1]

Fire safety experts testified to the Committee that fire sprinkler systems are too important to be ignored by the lodging industry. They state that too many serious deaths and injuries are still occurring in hotel and motel fires which can be, in many instances, prevented by the use of fire sprinklers. A study by the National Fire Protection Association (NFPA) indicates that there has never been multiple loss of life in a fully sprinklered hotel facility where the system has operated properly.[2]

Currently, there are no Federal regulations mandating smoke detectors or fire sprinklers. Several States, however, have instituted requirements for smoke detectors and sprinkler systems for public accommodations and other commercial establishments. Those States are: Nevada, Connecticut, Florida, Massachusetts, Louisiana, New Jersey, and Virginia.

Several private-sector groups also have begun to institute similar requirements for their companies and employees. Cigna Corporation, for example, prohibits its employees from staying in hotels without sprinklers and smoke detectors. The Federal Emergency Management Agency (FEMA) also has instituted a policy to encourage FEMA employees to stay in hotels and motels that are equipped with sprinkler systems whenever possible.[3]

With respect to the installation of sprinkler systems, according to testimony received by the Committee, the cost of retrofitting for sprinkler systems is comparable to the cost of installing new carpet and other materials, which most hotels do every 5 years for fire safety purposes.[4] Testimony also indicates that the installation of a sprinkler system can reduce significantly insurance premiums for most facilities.[5]

H.R. 94 is a response to the recognized safety need for sprinkler systems and smoke detectors. The bill as reported likewise reflects this need and includes several changes from the version of H.R. 94 that was passed by the House. These revisions include the following: changing the exemption from the sprinkler system require-

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[1] American Hotel & Motel Association, "Fire Protection In The Lodging Indusry" (1988), at page 6.

[2] National Fire Protection Association, "U.S. Experience With Sprinklers—Who has Them? How Well Do They Work?" (November 1989), at page 7.

[3] Testimony of Edward M. Wall, Deputy Administrator, United States Fire Administration, Federal Emergency Management Agency, at Consumer Subcommittee Hearing on H.R. 94, April 19, 1990.

[4] Testimony of Kenneth Isman, National Fire Sprinkler Association, before House Subcommittee on Science, Research and Technology, March 2, 1988, 100th Cong. 2d. Session, H.R. Hrg. 99 at page 174; Testimony of Ken Lehn, Regional Manager, National Fire Sprinkler Association, before Consumer Subcommittee Hearing on H.R. 94, April 19, 1990

[5] Testimony of Frank Riseden, President, American Fire Sprinkler Association, Inc., Dallas, Texas, before House Subcommittee on Science, Research and Technology, March 2, 1988, 100th Cong. 2d. Session, H.R. Hrg. 99 at page 178.

ment from 2 to 3 stories, and eliminating the requirements for this exemption that there be no adjoining interior corridors, and immediate egress to ground level area. These changes were made in an effort to strike a reasonable balance between the recommendations of the fire safety community and the interests of industry.

The Committee also amended the House-passed bill to increase both the time for submission of a list of certified places by State governments to FEMA from 1 year to 2 years, after the date of enactment, and the time for publication of the master list by FEMA from 60 days after 1 year to 60 days after 2 years from the date of enactment. This change was made to allow more time for the States and the FEMA Director to assemble the list, since the requirements under the bill do not take effect until 4 years after enactment. The change was also made to allow the hotel industry more time to comply with the guidelines.

In addition, the reported bill includes a section not in the House-passed bill to emphasize that the bill is not to be construed to encourage model building code organizations and State and local governments to reduce requirements for fire resistive construction and other safety features, as a result of the encouragement of the installation of automatic sprinkler systems and smoke detectors under the bill's safety guidelines. This section was added in response to concerns that the bill possibly would encourage State and local governments and building code organizations to reduce requirements for other fire safety measures.

The Committee believes that encouragement of installation of this fire safety equipment is important, and will help save lives. It encourages public accommodations to adopt these safety measures through the establishment of certain guidelines for the use of public accommodations by Federal employees. By advancing adequate fire safety for Federal employees, fire safety for the entire traveling public will be enhanced.

Legislative History

H.R. 94 was introduced in the House of Representatives by Congressman Boehlert, on January 3, 1989, with Congressmen Walgren and Walker as cosponsors. The bill passed the House on November 17, 1989.

The Consumer Subcommittee held a hearing on H.R. 94 on April 19, 1990. On June 27, 1990, in open executive session, the Committee ordered H.R. 94 reported without objection with an amendment in the nature of a substitute.

Summary of Major Provisions

As reported, H.R. 94 contains the following major provisions.

SAFETY GUIDELINES

It establishes guidelines for public accommodations used for Federal travel, including installation of: (1) hard-wired single-station smoke detectors in accordance with NFPA Standard 74 in each guest room; and (2) an automatic sprinkler system in accordance with NFPA Standard 13 or 13-R, in each place of public accommo-

dation. The bill exempts from the guideline for sprinkler systems all facilities that are 3 stories or lower.

LISTING OF CERTIFIED PLACES

It requires the FEMA Director to compile and publish in the Federal Register a national master list of all places of public accommodation in each State that meet the safety requirements of the bill, within 2 years and 60 days after enactment.

The FEMA Director is required to compile the list pursuant to information submitted to the Director by the States. The Director is then required to distribute the list to each agency of the Federal Government, and to take whatever steps necessary to make the employees of each agency aware of the existence of the list.

PUBLICATION IN FEDERAL TRAVEL DIRECTORY AND ESTABLISHMENT OF PER DIEM RATES

It prohibits the General Services Administration (GSA) from listing, in any directory of lodging and accommodations for Federal employees, the rates of any hotel or motel that does not meet the required fire safety guidelines. The bill also requires surveys conducted for the purpose of establishing per diem rates to be conducted only on places that meet the fire safety requirements of the bill.

IMPLEMENTATION OF REQUIRED GUIDELINES IN FEDERAL AGENCY TRAVEL

Beginning 4 years after the enactment of the bill, each Federal agency is required to ensure that no less than 65 percent of its travel accommodations be in approved facilities. The percentage increases to 75 percent 5 years after enactment, and to 90 percent each year beginning 6 years after enactment.

PROHIBITION AGAINST FEDERAL FUNDING OF CONFERENCES AT NON-CERTIFIED PLACES

Beginning 425 days after the establishment of the master list by FEMA, no federally funded conferences, meetings, or seminars may be held in a facility that does not meet the required safety guidelines, unless a waiver is granted by the head of the agency sponsoring or funding the event.

WAIVER OF FEDERAL LIABILITY

It provides that the Federal Government is not liable for the death or injury to any person or damage to any property because an officer or employee failed to carry out or was negligent in carrying out, the provisions of the bill.

IMPACT ON LOCAL BUILDING CODES

It provides that the bill should not be construed to encourage model building code organizations, or State or local governments, to reduce requirements for fire resistive walls or other safety features as a result of encouraging the installation of automatic sprinklers and smoke detectors.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office.

U.S. Congress,
Congressional Budget Office,
Washington, DC, July 26, 1990.

Hon. Ernest F. Hollings,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 94, the Hotel and Motel Fire Safety Act of 1990, as ordered reported by the Senate Committee on Commerce, Science, and Transportation, June 27, 1990.

CBO expects that H.R. 94, if enacted, would cost the federal government $200,000 in fiscal year 1991 and about $100,000 annually in subsequent years. In addition, lodging costs for traveling federal employees could increase because of provisions that encourage federal employees to stay in accommodations that meet the fire prevention standards specified in the bill.

Bill purpose: H.R. 94 would require each state to submit to the Federal Emergency Management Agency (FEMA) a list of those places of public accommodation that conform to fire prevention and control guidelines contained in the bill. In turn, FEMA would be required to compile and publish in the Federal Register a national master list of accommodations that conform to the guidelines. FEMA would be required periodically to update the master list.

In addition, H.R. 94 includes a number of provisions to encourage federal employees to choose accommodations that meet the fire prevention standards specified in the bill. Section 4 would require that GSA use only lodgings, that meet the safety standards in determining per diem rates for government travel. As well, GSA would be permitted to include only hotels meeting the standards in the Federal Travel Directory, and would be authorized to take other unspecified steps to encourage federal employees to stay in approved hotels. Section 5 would set agency targets beginning in fiscal year 1995 for the percentage of employees traveling on federal business who stay in accommodations that meet the safety standards. No federal funds could be used to support events held in buildings not meeting the standards. The legislation also would require the General Accounting Office (GAO) to conduct an audit of agency compliance with these provisions.

Estimated cost to the Federal Government: Based on information provided by FEMA, we estimate that compiling and publishing the master list would cost about $200,000 in fiscal year 1991. In subsequent years, maintaining the master list would cost about $100,000 annually. Also, based on information provided by GAO, we expect that the annual GAO audits would not result in any significant cost to the government.

The bill also could increase lodging costs for federal employees. Information from GSA suggest that accommodations that meet the

fire prevention guidelines specified in the bill may be more expensive than other accommodations. The federal government spends about $1.5 billion per year on lodging expenses. To the extent that federal employees respond to these initiatives by staying in more expensive accommodations that meet the guidelines, federal lodging costs could increase. For example, if federal travelers rely primarily on the Federal Travel Directory in choosing lodging, federal lodging costs could increase in 1992 since only lodgings that meet the fire standards would be included in the directory. However, we do not have sufficient information to estimate the amount of such an increase.

Estimated cost to State and local governments: We expect that some cost would be incurred by state and local governments to prepare the list of accommodations that conform to the guidelines contained in the bill. Because some industry data already exist, we expect that the cost incurred by any individual state to compile the list would not be significant.

Previous CBO estimate: On November 8, 1989, CBO prepared an estimate for H.R. 94, as ordered reported by the House Committee on Science, Space, and Technology on May 10, 1989, and as subsequently amended by that Committee. This version of H.R. 94 is very similar to the earlier amended version, and the estimated costs are the same.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Michael Sieverts and Marta Morgan, who can be reached at 226–860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

NUMBER OF PERSONS AFFECTED

This legislation is intended to improve the fire safety of public accommodations by encouraging the installation of sprinklers and smoke detectors. It is expected that hotel owners who have not already installed sprinklers and smoke detectors in their facilities will seek to comply with these safety guidelines in an effort to continue competing for Federal Government business. To this end, the bill will have a positive effect on these facilities, and on the fire safety and protection of Federal employees and all other persons who stay in these facilities.

ECONOMIC IMPACT

Those facilities that wish to compete for Federal business and do not currently have sprinkler systems or smoke detectors will have to install such systems. It is projected that retrofitting for sprinkler systems could result in some additional operating costs for certain hotels. According to testimony received by the Committee, much of the additional cost incurred for installation of sprinkler systems

could be recouped through rate savings on decreased premiums for insurance. The time for recovering such costs will vary from facility to facility. Some estimates show that the costs could be recovered in 5 to 7 years.

Additionally, it is anticipated that FEMA and GSA will incur some additional cost in the course of the administrative procedures required by the bill, although those costs are not expected to be significant.

PAPERWORK

This bill requires each State to submit to the FEMA Director a list of all places located in each State that meet the fire prevention and control guidelines contained in the bill. It is anticipated that this provision will result in some increased paperwork for State governments.

PERSONAL PRIVACY

This legislation will not have any adverse impact on the personal privacy of the individuals affected.

SECTION-BY-SECTION ANALYSIS

SECTION 1.—SHORT TITLE

This section states the short title of the bill as the "Hotel and Motel Fire Safety Act of 1990."

SECTION 2.—FINDINGS AND PURPOSES

This section sets out the findings on which the legislation is based, and the purpose for its enactment. Most significant are the findings that over 400 Americans have lost their lives in hotel fires over the last 5 years; and that, when properly installed and maintained, automatic sprinklers and smoke detectors provide the most effective safeguards against loss of life and property from fire. The stated purpose of the bill is to promote fire and life safety in hotels, motels, and places of public accommodation affecting commerce.

SECTION 3.—HOTEL AND MOTEL FIRE PREVENTION AND CONTROL

Subsection (a) of this section amends the Federal Fire Prevention and Control Act of 1974 by adding a new section that would require the States, within 2 years of enactment of the bill, to submit to the FEMA Director a list of places of public accommodation that meet the guidelines set out in the bill. No more than 60 days after this 2-year period, the Director must publish in the Federal Register a national master list of all public accommodations meeting the bill's guidelines, and distribute such list to all Federal agencies. The subsection also requires that the list be updated periodically by the Director.

The subsection also establishes the following fire prevention and control guidelines: (1) installation of a smoke detector meeting the NFPA Standard in each guest room; and (2) installation of an automatic sprinkler in accordance with the NFPA Standard in each place of public accommodation. The sprinkler system is required to be installed in each guest room and all common areas of each facil-

ity. Facilities that are 3 stories or lower are exempt from the sprinkler system guideline.

The subsection also provides that the section shall not limit the power of any State or local government to implement any law regarding fire prevention and control.

Finally, subsection (a) requires the FEMA Director, acting through the Administrator of GSA, to take steps to encourage the States to promote the use of automatic sprinklers and smoke detectors, and to disseminate information on their value.

Subsection (b) of this section contains definitions of "Director" and "place of public accommodation."

SECTION 4.—ADHERENCE TO FIRE SAFETY GUIDELINES IN ESTABLISHING RATES AND DISCOUNTS FOR LODGING EXPENSES

This section amends chapter 57 of title 5, U.S. Code, relating to the establishment of per diem rates for Federal travel, to require that surveys conducted to establish per diem rates shall include only accommodations meeting the fire protection guidelines of the bill. This section provides further that the GSA Administrator may not include any accommodations not meeting the guidelines in any directory listing lodging for Federal travelers. The section provides further that the Administrator must include a description of the access and safety devices available in the lodging listed in the Federal lodging directory. Also, the Administrator may take those additional steps the Administrator deems appropriate to encourage employees traveling on Federal business to stay at accommodations meeting the guidelines of the bill. The amendments made by this section are to take effect 60 days after publication in the Federal Register of the nationwide master list required by section 3(a) of the bill.

SECTION 5.—ESTABLISHMENT OF APPROVED ACCOMMODATIONS PERCENTAGE FOR FEDERAL AGENCIES

Subsection (a) of this section provides that each Federal agency shall insure that the percentage of its travel accommodations which use facilities meeting the guidelines of the bill is not less than 65 percent in the first fiscal year beginning 4 years after enactment; 75 percent in the fiscal year beginning 5 years after enactment; and 90 percent in the fiscal year beginning 6 years, and all subsequent years, after enactment. The subsection also sets out the formula for calculating the agency's approved accommodations percentage. This percentage is to be determined by the total number of nights spent by agency employees in public accommodations that meet the fire safety guidelines established in the bill, divided by the total number of nights spent by these employees at any public accommodation. This applies to travel by civilian employees on government business.

Subsection (b) requires that the General Accounting Office conduct audits of agency compliance with this section, beginning 6 months after the last day of the first fiscal year to which the requirements are applicable, and no later than 6 months after every succeeding fiscal year, and shall report to Congress the results of such audits.

SECTION 6.—PROHIBITING FEDERAL FUNDING OF CONFERENCES HELD AT NON-CERTIFIED PLACES OF PUBLIC ACCOMMODATION

Subsection (a) of this section provides that no Federal funds may be used to sponsor or fund a meeting, convention, conference, or training seminar conducted in a place of public accommodation that does not meet the fire safety guidelines outlined in the bill.

Subsection (b) of this section: (1) provides that the head of an agency may waive the prohibition outlined in subsection (a), if the agency determines that a waiver of the prohibition is necessary in the best interest of the public; and (2) provides that the head of the agency may delegate the authority to waive the prohibition as provided in subsection (a) to an officer or employee of the agency, with respect to meetings, conventions, conferences, and training seminars sponsored or funded by the agency.

Subsection (c) of this section provides that any advertisement concerning, or application for attendance at, a meeting, convention, conference, or training seminar sponsored or funded by the Federal Government must include a notice regarding the prohibition in subsection (a). Subsection (c) further provides that each Executive department, Government corporation, and independent establishment providing Federal funds to a non-Federal entity must notify the entity of the prohibition in subsection (a).

Subsection (d) of this section provides that the section shall become effective 425 days after the publication of the master list in the Federal Register required in section 3(a).

SECTION 7.—WAIVER OF FEDERAL LIABILITY

This section grants immunity to the Federal Government from any liability for the death of or injury to any person, or for damage to any property, as a result of the negligence of any officer or employee in carrying out the provisions of the bill.

SECTION 8.—EFFECT ON LOCAL BUILDING CODES

This section provides that the bill should not be construed to encourage model building code organizations, or State or local governments, to reduce requirements for fire resistive walls or other safety features as a result of encouraging the installation of automatic sprinklers and smoke detectors. It is the intent of the committee to encourage hotel and motel owners to improve fire safety and protection by increasing the use of sprinklers and smoke detector systems, and not simply to make shift from one fire safety technique to another.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

HOTEL AND MOTEL FIRE SAFETY ACT OF 1990

SECTION 4 OF THAT ACT

DEFINITIONS

SEC. 4. As used in this Act, the term—

(1) "Academy" means the National Academy for Fire Prevention and Control;

(2) "Administration" means the United States Fire Administration established pursuant to section 5 of this Act;

(3) "Administrator" means the Administrator of the United States Fire Administration;

(4) "Director" means the Director of the Federal Emergency Management Agency;

[(4)] *(5)* "fire service" means any organization in any State consisting of personnel, apparatus, and equipment which has as its purpose protecting property and maintaining the safety and welfare of the public from the dangers of fire, including a private fire-fighting brigade. The personnel of any such organization may be paid employees or unpaid volunteers or any combination thereof. The location of any such organization and its responsibility for extinguishment and suppression of fires may include, but need not be limited to, a Federal installation, a State, city, town, borough, parish, county, fire district, fire protection district, rural fire district, or other special district. The terms "fire prevention", "firefighting", and "firecontrol" relate to activities conducted by a fire service;

[(5)] *(6)* "local" means of or pertaining to any city, town, county, special purpose district, unincorporated territory, or other political subdivision of a State;

(7) "place of public accommodation affecting commerce" means any inn, hotel, or other establishment not owned by the Federal Government that provides lodging to transient guests, except that such term does not include an establishment treated as an apartment building for purposes of any State or local law or regulation or an establishment located within a building that contains not more than 5 rooms for rent or hire and that is actually occupied as a residence by the proprietor of such establishment;

[(6)] *(8)* "Secretary" means the Secretary of Commerce; and

[(7)] *(9)* "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, the Trust Territory of the Pacific Islands and any other territory or possession of the United States.

SECTION 27 OF THAT ACT

FIREFIGHTER SAFETY STUDY

SEC. 27. * * *

LISTINGS OF CERTIFIED PLACES OF PUBLIC ACCOMMODATION

SEC. 28. (a) SUBMISSIONS BY STATES.—(1) Not later than 2 years after the date of enactment of this section, each State shall, under procedures formulated by the Director, submit to the Director a list of those places of public accommodation affecting commerce located in the State which the Governor of the State or his designee certifies meet the requirements of the guidelines described in section 29.

(2) The Director shall formulate procedures under which each State shall periodically update the list submitted pursuant to paragraph (1).

(b) COMPILATION AND DISTRIBUTION OF MASTER LIST.—(1) Not later than 60 days after the expiration of the 2-year period referred to in subsection (a), the Director shall compile and publish in the Federal Register a national master list of all of the places of public accommodation affecting commerce located in each State that meet the requirements of the guidelines described in section 29, and shall distribute such list to each agency of the Federal Government and take steps to make the employees of such agencies aware of its existence and contents.

(2) The Director shall periodically update the national master list compiled pursuant to paragraph (1) to reflect changes in the State lists submitted to the Director pursuant to subsection (a), and shall periodically redistribute the updated master list to each agency of the Federal Government.

(3) For purposes of this subsection, the term "agency" has the meaning given to it under section 5701(1) of title 5, United States Code.

FIRE PREVENTION AND CONTROL GUIDELINES FOR PLACES OF PUBLIC ACCOMMODATION

SEC. 29. (a) CONTENTS OF GUIDELINES.—The guidelines referred to in sections 28 and 30 consist of—

(1) a requirement that hard-wired, single-station smoke detectors be installed in accordance with National Fire Protection Association Standard 74 in each guest room in each place of public accommodation affecting commerce; and

(2) a requirement that an automatic spinkler system be installed in accordance with National Fire Protection Association Standard 13 or 13-R, whichever is appropriate, in each place of public accommodation affecting commerce except those places that are three stories or lower.

(b) EFFECT ON STATE AND LOCAL LAW.—The provisions of this section shall not be construed to limit the power of any State or political subdivision thereof to implement or enforce any law, rule, regulation, or standard concerning fire prevention and control.

(c) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) The term "smoke detector" means an alarm that is designed to respond to the presence of visible or invisible particles of combustion.

(2) The term "automatic sprinkler system" means an electronically supervised, integrated system of piping to which sprinklers are attached in a systematic pattern, and which, when ac-

tivated by heat from a fire, will protect human lives by discharging water over the fire area, and by providing appropriate warning signals (to the extent such signals are required by Federal, State, or local laws or regulations) through the building's fire alarm system.

DISSEMINATION OF FIRE PREVENTION AND CONTROL INFORMATION

SEC. 30. The Director, acting through the Administrator, is authorized to take steps to encourage the States to promote the use of automatic sprinkler systems and automatic smoke detection systems, and to disseminate to the maximum extent possible information on the light safety value and use of such systems. Such steps may include, but need not be limited to, providing copies of the guidelines described in section 29 and of the master list compiled under section 28(b) to Federal agencies, State and local governments, and fire services throughout the United States, and making copies of the master list compiled under section 28(b) available upon request to interested private organizations and individuals.

CHAPTER 57 OF TITLE 5, UNITED STATES CODE

SECTION 5701 OF THAT CHAPTER

§ 5701. Definitions

[For the purpose] *Except as otherwise provided in section 5707(d), for the purpose* of this subchapter—

(1) through (6) * * *

SECTION 5707 OF THAT CHAPTER

§ 5707. Regulations and reports

(a) through (c) * * *

(d)(1) Each agency shall ensure that its approved accommodations percentage for a fiscal year shall be not less than—

(A) 65 percent, for the fiscal year that begins 4 years after the date of enactment of this subsection;

(B) 75 percent, for the fiscal year that begins 5 years after the date of enactment of this subsection; and

(C) 90 percent, for the fiscal year that begins 6 years after the date of enactment of this subsection and for each subsequent fiscal year.

(2) In this subsection, an agency's "approved accommodations percentage" for a fiscal year is the percentage determined by multiplying 100 by the quotient of—

(A) the total number of nights spent by civilian employees of the agency (as described in section 5702(a)) for which payment was made under this chapter for lodging expenses incurred in any State at any approved hotel, motel, or other place of public accommodation not owned by the Federal Government; divided by

(B) the total number of nights spent by such employees for which payment was made under this chapter for lodging expenses incurred in any State at any hotel, motel, or other place

of public accommodation not owned by the Federal Government.

(3) For purposes of this subsection, a hotel, motel, or other place of public accommodation is approved if it meets the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974.

(4) For purposes of this subsection—

(A) the term "agency" does not include the government of the District of Columbia; and

(B) the term "State" means any State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, the Virgin Islands, Guam, American Samoa, or any other territory or possession.

§ 5707a. Adherence to fire safety guidelines in establishing rates and discounts for lodging expenses

(a) Studies or surveys conducted for the purposes of establishing per diem rates for lodging expenses under this chapter shall be limited to places of public accommodation that meet the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974. The provisions of this subsection shall not apply with respect to studies and surveys that are conducted in any jurisdiction that is not a State as defined in section 4 of the Federal Fire Prevention and Control Act of 1974.

(b) The Administrator of General Services may not include in any directory which lists lodging accommodations any hotel, motel, or other place of public accommodation that does not meet the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974.

(c) The Administrator of General Services shall include in each directory which lists lodging accommodations a description of the access and safety devices, including appropriate emergency altering devices, which each listed place of public accommodation provides for guests who are hearing-impaired or visually or physically handicapped.

(d) The Administrator of General Services may take any additional actions the Administrator determines appropriate to encourage employees traveling on official business to stay at places of public accommodation that meet the requirements of the fire prevention and control guidelines described in section 29 of the Federal Fire Prevention and Control Act of 1974.

○